

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

SHIRLEY L. PHELPS-ROPER,)
)
)
Plaintiff(s),)
)
)
vs.) Case No. 4:10CV01125 JCH
)
)
DANIEL BULLOCK, individually and in his)
official capacity as Sheriff of St. Francois)
County, Missouri,)
)
Defendant(s).)

ORDER

This matter comes before the Court on Plaintiff's motion for temporary restraining order.

Plaintiff challenges Defendant's intention to enforce Mo.Rev.Stat. §578.095 against her on the basis of her proposed activity in a public forum in St. Francois County, Missouri.

Plaintiff has established that she is likely to succeed on the merits, there is a threat of irreparable harm to Plaintiff, there is no harm to Defendant should a temporary restraining order issue, and the issuance of a temporary restraining order is in the public interest. Therefore, Plaintiff is entitled to a temporary injunction.

The Court finds that Defendant will incur no cognizable harm if entry of this temporary restraining order is later found to be in error. Therefore, bond is set in the amount of \$100.00

Accordingly,

IT IS HEREBY ORDERED that Defendant, his officers, agents, servants, employees, and attorneys, or those persons in active concert or participation with them, are prohibited from enforcing Mo.Rev.Stat. §578.095 against Plaintiff, while she is engaged in expressive activity on Friday, June 25, 2010, from 10:15 a.m. until 11:30 a.m., along Marler Road. Marler Road is a public road,

approximately two-hundred feet long, located between Highway 8 and Missouri Route 8, and is approximately eight-hundred feet to the east of West County High School.

IT IS FURTHER ORDERED that bond is set at \$100.00.

Dated this 24th day of June, 2010.

/s/ Jean C. Hamilton
UNITED STATES DISTRICT JUDGE